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menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable." Wynblatt discloses a mobile information terminal such as a computer as and a local agent which is locally operated. The mobile information terminal includes a receiver, a URL queue and a WWW renderer/browser. The local agent includes a short-range transmitter to distribute information pointers to the mobile information terminal and a mechanism for transferring data into the transmitter. There is nothing disclosed in Wynblatt that remotely resembles or operates like the menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. In the Wynblatt patent, URLs are stored in a queue. The URL queue unit 32 is a repository for URLs and title strings, made of standard digital memory. New URL/title pairs arrive from the receiver and pairs may be requested by the WWW browser. Optionally, the queue unit may have a facility to alert the terminal user when a new URL has been received and is available. The title of each URL is displayed one at a time according to its place in the queue. "The user presses "grab" again, and the browser gets the next most recent URL." (see column 4, line 49 through column 5, line 6).

With regards to Claims 28, 40, 49, the Wynblatt patent fails to disclose "a template means for selecting navigation options for the banner software." The Examiner asserts that such a disclosure is found in column 5, lines 49-67 and column 6, lines 1-25 of Wynblatt. But again, no display of a menu of URL options are shown but rather merely the title of URLs stored in a queue. Again, it must be stressed that Wynblatt fails to disclose or even suggest a menu display means for presenting a menu of navigation options when an end-user clicks on the banner. There is no mention in Wynblatt of clicking on a banner nor any mention of the term banner.

It is obvious, from reading Wynblatt, that the reference does not even suggest a menu display means for presenting a menu

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of navigation options when an end-user clicks on the banner that displays a menu of navigation options. Wynblatt discloses on a que of URLs without means to choose from a display of the titles and no menu or display of the titles and, thus, clearly does not anticipate Claims 1, 28, 36, 40, 41, and 49.

Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 1, 28, 36, 40, 41, and 49 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,219,696 to Wynblatt et al., has been overcome by the remarks above and that these Claims are in condition for allowance.

2. The Examiner's rejection of Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,182,050 to Ballard, has been studied and the Applicant respectfully submits that the cited reference does not disclose or anticipate several of the elements found in the rejected Claims.

The Ballard patent fails to disclose a means for displaying a message when the banner is displayed on a screen on an end-user computer. Claims 36 and 52 claim messaging software for producing and sending a message that appears on the screen of end-user computers that have banner software installed on the end-user computers and includes a means for inputting the message to be transmitted to and displayed on the end-user computers. The Ballard patent discloses a system to send a message from end user computers to the ASP computer 52 which is the exact opposite of what is taught and claimed in the present Application.

With regards to all of the rejected Claims, the Examiner has not pointed out with any specificity where or which elements in the cited references are the menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs

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on a network to which an end-user computer is connectable. The Ballard patent fails to disclose "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable." Ballard discloses a system for distributing advertisements across the Internet including the use of advertising banners. There is nothing disclosed in Ballard that remotely resembles or operates like the menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. The Examiner asserts that such a disclosure is found in column 10, lines 1-25 of Ballard. But no disclosure of a display of a menu of URL options are shown. The ASP computer 52 of an advertising service provider screens and makes selections of what the inducer will see. There are no selectable navigation options provided on the end user's computer screen in Ballard. There is no mention in Ballard of clicking on a banner to bring up a menu with inducer selectable URL options.

The Applicant objects to the Examiner's rejection of Claim 4 in which the Examiner claims that Ballard teaches the software of Claim 3 wherein the local event statistics database further includes URL's on a network to which an end-user computer has been directed through a choice from said menu of navigation options (column 10, lines 1-25). The Applicant, as stated above, has found nothing in Ballard or any elements specifically pointed out by the Examiner in Ballard that teaches, suggests, or even hints at a choice from a menu of navigation options. The Examiner has failed to point out any such menu in Ballard.

The Applicant objects to the Examiner's rejection of Claim 40 in which the Examiner claims that Ballard teaches publishing software for producing and changing banner software, said publishing software stored in a server computer accessible via a network, said publishing software comprising: a template means for selecting navigation options for the banner software (column 10, lines 1-25), wherein the banner software is in

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machine readable format having a banner display means for displaying a banner on a screen on an end-user computer (column 10, lines 1-25), the banner display means having a menu display means for presenting a menu of navigation options when an end-user clicks on said banner, and at least a portion of said navigation options are URLs on a network to which the end-user computer is connectable (column 10, lines 1-25), a means for storing the banner software on the server computer, and a means for distributing the banner software from the server computer to said end-user computer (column 8, lines 63-67 and column 9, lines 1-21). The Applicant, as stated above, has found nothing in Ballard or any elements specifically pointed out by the Examiner in Ballard that teaches, suggests, or even hints at a choice from a menu of navigation options. The Examiner has failed to point out any such menu in Ballard.

With regards to Claim 34, the Examiner states that Ballard teaches the software of Claim 33 further comprising an alerting means for alerting the end-user that the banner software has been changed on the end-user computer (column 12, lines 30-67). However, the Applicant cannot find any such mention of such an alerting means or any other element that functions or suggests an alerting means for alerting the end-user that the banner software has been changed on the end-user computer. The Examiner has failed to not point out with any specificity where or which elements in the cited reference functions or suggests an alerting means for alerting the end-user that the banner software has been changed on the end-user computer.

It is obvious, from reading Ballard, that the reference does not even suggest a menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. Ballard clearly does not anticipate Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 of the present Application. Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed

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invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,182,050 to Ballard, has been overcome by the remarks above and that these Claims are in condition for allowance.

3. The Examiner's rejection of Claims 56-57 and 61-62 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,493,702 to Adar et al., has been studied and the Applicant respectfully submits that the cited reference does not disclose one of the elements found in the rejected Claims. Claim 56, from which Claims 57 and 61-62 depend, includes a means for displaying an icon on a screen on an end-user computer wherein the icon is operable to launch the software and an alerting means for altering an appearance of the icon on said screen after the data is updated. Adar discloses informational icons representing whether the documents corresponding to each bookmark are available, relatively new, or popular. Adar does not disclose, teach, or even suggest that any of these icons are operable to launch software. The Adar patent does not teach altering the appearance of the icon but rather displaying or not displaying an icon. This is teaching directly away from the present patent application because combining patents would result in the application launching icon being removed from the end user's screen which makes no sense whatsoever. Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 56-57 and 61-62 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Number 6,493,702 to Adar et al. has been overcome by the remarks above and that these Claims are in condition for allowance.

Claim Rejections - 35 USC § 103

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4. The Examiner's rejection of Claims 2-4, 11-13, 17-19, 25-27 and 42-44 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,219,696 to Wynblatt et al., in view of U.S. Patent Number 5,960,409 to Wexler, has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is an absence of features of the presently claimed invention and there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Wynblatt and Wexler references. As clearly proven above, Wynblatt fails to teach "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which an end-user computer is connectable". Wynblatt teaches to distribute information pointers to a mobile information terminal and a mechanism for transferring data into the transmitter. Wynblatt teaches that a user uses a browser to get the next most recent URL in a queue but has no choice as to navigation on the Internet. It does not appear that anything can be done with Wynblatt's system other than receiving advertising information and no mention is made of end user action that constitute clicks on the banner as incorporated in Wexler's system. The third party accumulates and tabulates statistical information including the number of clicks on the advertiser banner, and data indicative of the effectiveness of the banner-publisher frequently-visited Web site as an advertising medium. Such information is provided to the advertiser and/or the banner publisher. But in Wynblatt, every advertisement is clicked on until the ad that the viewer wants to see appears. So even if the viewer isn't interested in the ad, he would still click on it and the statistical data would be erroneously reported and be of no value to the advertiser. Therefore, it is obvious that it would have been obvious to one of ordinary skill in the Computer Networking art, at the time of invention, to combine the teachings of Wynblatt regarding displaying banners with the teachings of Wexler regarding the tracking of end-user

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statistics because statistics provide advertisers with useful information. The Examiner has failed to show how useful information could be gleamed from the use of Wynblatt's system. All of the viewers have no choice but to see all of the URLs on the que in Wynblatt whether or not they want to or not and, thus, it is meaningless because they did not choose to do so. As regards to the rejection of Claim 3, since the viewer doesn't choose which URL to go to, makes no sense to count the number of times the banner was accessed by the end-user, though it may have been in the que, the end user could just pass it by without looking at it for more than a moment until he gets to the desired URL. As regards to the rejection of Claim 4, since the viewer doesn't choose which URL to go to, makes no sense to provide a local event statistics database which further includes URLs on a network to which an end-user computer has been directed.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 2-4, 11-13, 17-19, 25-27 and 42-44 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,219,696 to Wynblatt et al., in view of U.S. Patent Number 5,960,409 to Wexler, has been overcome by the remarks above.

5. The Examiner's rejection of Claims 5-6 and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,219,696 to Wynblatt et al., in view of U.S. Patent Number 5,960,409 to Wexler, and further in view of U.S. Patent Number 5,742,768 to Gennaro et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is an absence of features of the presently claimed invention and there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Wynblatt and Wexler references as explained above. As clearly proven above, Wynblatt fails to teach "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network

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to which end-user computer is connectable". Wynblatt teaches to distribute information pointers to a mobile information terminal and a mechanism for transferring data into the transmitter. Wynblatt teaches that a user uses a browser to get the next most recent URL in a queue but has no choice as to navigation on the Internet. It does not appear that anything can be done with Wynblatt's system other than receiving advertising information and no mention is made of end user action that constitute clicks on the banner as incorporated in Wexler's system. The third party accumulates and tabulates statistical information including the number of clicks on the advertiser banner and data indicative of the effectiveness of the banner-publisher frequently-visited Web site as an advertising medium. Such information is provided to the advertiser and/or the banner publisher. But in Wynblatt, every advertisement is clicked on until the ad that the viewer wants to see appears. So even if the viewer isn't interested in the ad, he would still click on it and the statistical data would be erroneously reported and be of no value to the advertiser. Therefore, it is not obvious that one of ordinary skill in the Computer Networking art, at the time of invention, would combine the teachings of Wynblatt regarding displaying banners with the teachings of Wexler regarding the tracking of end-user statistics, because statistics provide advertisers with useful information. The Examiner has failed to show how useful information could be gleaned from the use of Wynblatt's system. All of the viewers have no choice but to see all of the URLs on the queue in Wynblatt whether or not they want to and, thus, its meaningless because they did not choose to do so.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 5-6 and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,219,696 to Wynblatt et al., in view of U.S. Patent Number 5,960,409 to Wexler, and further in view of U.S. Patent Number 5,742,768 to Gennaro et al., has been overcome by the remarks above.

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6. The Examiner's rejection of Claims 5-6 and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,182,050 to Ballard, in view of U.S. Patent Number 5,742,768 to Gennaro et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is an absence of features of the presently claimed invention as explained above. As clearly proven above, Ballard fails to teach "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable". With regards to all of the rejected Claims, the Examiner has not pointed out with any specificity where or which elements, in the cited references, are the menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which an end-user computer is connectable.

The Examiner states that Gennaro teaches the use of nested menus in a menu of navigation options (column 5, lines 6-42). What Gennaro teaches in its totality is a menu which is on a Web page to which the user must go to over the Internet with a browser. The present Application includes a banner display means for displaying a banner on a screen on an end-user computer and the banner is displayed before the user logs onto the type of Web page associated with the URLs that Gennaro teaches. The menu display means for presenting a menu of navigation options when an end-user clicks on said banner is also located on the end user computer. Gennaro teaches menus located on a Web page stored on a server computer on the network not stored on the end user computer.

Ballard teaches the distribution of advertisements which may send a user to a Web page. "The ASP computer 52 stores or has access to advertisement information 54. The advertisement information 54 pertains to advertisements and in some embodiments includes the advertisements 56 or an address to the advertisement

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(as for a web page).", (column 6, lines 40-44). There is no banner disclosed in Ballard that is capable of displaying a menu but rather Ballard can be used to go to a Web page. Gennaro does not teach or disclose a banner but rather a Web page with menus and nested menus. There does not appear to be any teaching or motivation for combining the two references other than the Examiner's own conclusion that "It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Wynblatt-Wexler combination regarding a system for displaying banners with the teachings of Gennaro regarding the nesting of menus because menus provide a user with an easy and efficient way to access a web page (Gennaro, col. 5, lines 27-42)." However, Wynblatt teaches about banners while Gennaro teaches about Web pages and links to other Web pages and never addresses the issue of banners or whether or not menus or nested menus can even be put into a banner. Gennaro doesn't discuss banners at all nor anything that functions as a banner.

Ballard and Gennaro seem to be at cross purposes. Ballard wants to call attention to the advertiser's advertisement, why would the advertiser want menus or nested menus on his advertisement? Banner makes a direct point of how the user must go through the queue in order and from one advertiser's advertisement to the next. The Examiner has failed to state where in the prior art it is suggested to add menus. Ballard uses menus of one entity or advertiser to direct the user to different URLs associated with the advertiser and listed on the entity's Web page.

It is clear, as evidenced by the Examiner's statements that fail to cite any reason in any of the references to combine the cited references, that this rejection is based on impermissible hindsight. The courts clearly teach us that a conclusion of obviousness is an error when it is not accompanied by a clearly elucidated factual teachings, suggestions, or incentives from this prior art that shows the propriety of

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combination. Here, the Examiner has taken two references and combined them without any reason disclosed in the prior art.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 5-6 and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,182,050 to Ballard, in view of U.S. Patent Number 5,742,768 to Gennaro et al., has been overcome by the remarks above.

7. The Examiner's rejection of Claim 30 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,182,050 to Ballard, in view of U.S. Patent Number 6,587,127 to Leeke et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is an absence of features of the presently claimed invention as explained above and there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Ballard and Leeke patents. As clearly proven above, Ballard fails to teach "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable". With regards to all of the rejected Claims, the Examiner has not pointed out with any specificity where or which elements, in the cited references, are the menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which an end-user computer is connectable.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claim 30 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,182,050 to Ballard, in view of U.S. Patent Number 6,587,127 to Leeke et al., has been overcome by the remarks above.

8. The Examiner's rejection of Claims 35, 38-39, and 54-55 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

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Number 6,182,050 to Ballard, in view of U.S. Patent Number 6,493,702 to Adar et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is an absence of features of the presently claimed invention as explained above and there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Ballard and Adar patents. As clearly proven above, Ballard fails to teach "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable". With regards to all of the rejected Claims, the Examiner has not pointed out with any specificity where or which elements, in the cited references, are the menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which an end-user computer is connectable.

Furthermore, Claims 35, 38-39, and 54-55 of the present Application includes a means for displaying an icon on a screen on an end-user computer wherein the icon is operable to launch the software and an alerting means for altering an appearance of the icon on said screen after the data is updated. Adar discloses informational icons representing whether the documents corresponding to each bookmark are available, relatively new, or popular. Adar does not disclose, teach, or even suggest that any of these icons are operable to launch software. Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference.

More specifically as to Claim 35, the alerting means alters appearance of an icon on a screen of the end-user computer that invokes the banner software when the icon is clicked upon. None of the cited references teach or suggest the alerting means uses the same icon that launches the banner software. The icon may have its appearance altered.

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Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 35, 38-39, and 54-55 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,182,050 to Ballard, in view of U.S. Patent Number 6,493,702 to Adar et al., has been overcome by the remarks above.

9. The Examiner's rejection of Claims 56-58 and 61-64 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,571,245 to Huang et al., in view of U.S. Patent Number 6,493,702 to Adar et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Huang and Adar patents. As clearly proven above, Adar discloses informational icons representing whether the documents corresponding to each bookmark are available, relatively new, or popular. Adar does not disclose, teach, or even suggest that any of these icon are operable to launch software nor is there any indication that the Adar patent could benefit from such a feature. The Adar patent does not teach altering the appearance of the icon but rather displaying or not displaying an icon. This is teaching directly away from the Huang patent because combining patents would result in the application launching icon of Huang being removed from the end user's screen which makes no sense whatsoever. Therefore, the Applicant respectfully submits that not only would it not have been obvious to one of ordinary skill in the Computer Networking art, at the time of the invention, to combine the teachings of Huang regarding a software for updating data with the teachings of Adar regarding altering an icon after an update, because an altered icon attracts a user's attention, because Adar (column 6, lines 35-46) teaches that removing the icon, one skilled in the art would never consider combining the teaching of Adar with the teaching of Huang. Furthermore, there is nothing found in any of the prior art that provides any motivation or suggestion to combine these two references.

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It is clear, as evidenced by the Examiner's statements that fail to cite any reason in any of the references to combine the cited references, that this rejection is based on impermissible hindsight. The courts clearly teach us that a conclusion of obviousness is an error when it is not accompanied by clearly elucidated factual teachings, suggestions, or incentives from this prior art that shows the propriety of combination. Here, the Examiner has taken two references and combined them without any reason disclosed in the prior art.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 56-58 and 61-64 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,571,245 to Huang et al., in view of U.S. Patent Number 6,493,702 to Adar et al., has been overcome by the remarks above.

10. The Examiner's rejection of Claims 59-60 and 65-66 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,571,245 to Huang et al., in view of U.S. Patent Number 6,493,702 to Adar et al., and further in view of U.S. Patent Number 5,623,679 to Rivette et al., has been carefully studied and the Applicant respectfully disagrees with the Examiner because there is not even a suggestion in the cited references that would lead one skilled in the art to combine the Huang and Adar patents as clearly proven above. Adar discloses informational icons representing whether the documents corresponding to each bookmark are available, relatively new, or popular. Adar does not disclose, teach, or even suggest that any of these icons are operable to launch software nor is there any indication that the Adar patent could benefit from such a feature. The Adar patent does not teach altering the appearance of the icon, but rather displaying or not displaying an icon. This is teaching directly away from the Huang patent, because combining patents would result in the application launching icon of Huang being removed from the end user's screen, which makes no sense whatsoever. Therefore, the Applicant respectfully submits

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that not only would it not have been obvious to one of ordinary skill in the Computer Networking art, at the time of the invention, to combine the teachings of Huang regarding a software for updating data with the teachings of Adar regarding altering an icon after an update because an altered icon attracts a user's attention because Adar (column 6, lines 35-46) teaches removing the icon, one skilled in the art would never consider combining the teaching of Adar with the teaching of Huang. Furthermore, there is nothing found in any of the prior art that provides any motivation or suggestion to combine these two references.

As regards to Rivette, the Applicant has not found anything in Rivette that teaches altering the appearance of an icon by changing the color (column 33, lines 47-67 and column 34, lines 1-3) of Rivette state:

"With reference now to FIG. 29, Patent Text Toolbox 162 includes a plurality of marker icons 381, 382, and 384, which represent markers of varying colors for highlighting portions of the text in the displayed Equivalent File, as will be described more fully below. A pen icon is also provided for identifying portions of patent text. As previously described, the activation of right arrow button 351 results in computer 48 of FIG. 3 scrolling through each sequential instance ("hit") in which the search word is encountered after the first instance. By activating left arrow button 352, the reverse order will be generated by the computer 48 of each instance of the selected search term. As the instances of the search term are incremented or decremented, respectively, the window 160 is updated (e.g. "hit 5 of 24", "hit 2 of 24", etc.). Moreover, it will be noted that in FIG. 28, the Patent Text Toolbox 162 also includes a library icon or a case icon. The display of a library icon indicates that the Equivalent File of the patent displayed in the Equivalent window 160 is a library copy. As a library copy, the user may

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not make notes or highlight the Equivalent File. A working Equivalent File is denoted by a case icon (similar to icon 106) in place of the library icon (see FIG. 29). As described herein, the working Equivalent File may be searched, annotated and/or highlighted by the user."

This passage clearly states that there are icons of varying color but fails to disclose any one icon that changes color.

It is clear, as evidenced by the Examiner's statements that fail to cite any reason in any of the references to combine the cited references, that this rejection is based on impermissible hindsight. The courts clearly teach us that a conclusion of obviousness is an error when it is not accompanied by clearly elucidated factual teachings, suggestions, or incentives from this prior art that shows the propriety of combination. Here, the Examiner has taken two references and combined them without any reason disclosed in the prior art.

Therefore, the Applicant respectfully submits that the Examiner's rejection of Claims 59-60 and 65-66 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,571,245 to Huang et al., in view of U.S. Patent Number 6,493,702 to Adar et al., and further in view of U.S. Patent Number 5,623,679 to Rivette et al., has been overcome by the remarks above.

11. Therefore, the Applicant respectfully submits that all of the Examiner's rejections of Claims 1-66 have been overcome by the remarks above and requests that all pending Claims be passed on to issue.


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